

VIRGINIA: IN THE CIRCUIT COURT OF SCOTT COUNTY

DIANE REBECCA CLARK,
Petitioner

VS

CASE #: CL22000312-00

AUSTIN LEE HALE,
Respondent

ORDER APPOINTING TEMPORARY LIMITED GUARDIAN

This proceeding came to be heard before this Court on July 19, 2023 upon a review of the Order entered by this Court on January 30, 2023; upon evidence heard ore tenus in open court, all in the presence of the Petitioner, Diane Rebecca Clark, and her counsel, Lisa Ann McCoonell, the Respondent, Austin Lee Hale, his guardian ad litem, Michele B. Brooks, and his defense counsel, Sidney Rhoton, and was argued by counsel.

In consideration of all of the evidence heard, the Court finds that the Respondent, Austin Lee Hale continues to be in need of a limited guardian as he continues to suffer from paranoid schizophrenia for which he is receiving Social Security benefits and has had multiple inpatient stays at Woodridge Psychiatric Hospital since our last hearing on January 18, 2023.

The Court further finds that there is a possibility of improvement in the condition of Austin Lee Hale in the foreseeable future if he cooperates with treatment on an outpatient basis and cooperates with a psychological evaluation as previously ordered by this Court on September 16, 2022 and December 13, 2022.

The Court further finds that it is in the best interests of Austin Lee Hale to continue the appointment of a Temporary Limited Guardian and that Diane Rebecca Clark is a

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CIRCUIT COURT CLERK'S OFFICE
SCOTT COUNTY, VIRGINIA
MARK "BO" TAYLOR, CLERK
Teste Kathy L. Quiller D. CLERK

suitable person to be the Temporary Limited Guardian of Austin Lee Hale.

It is therefore ADJUDGED, ORDERED and DECREED:

1. That the appointment of Diane Rebecca Clark as Temporary Limited Guardian of Austin Lee Hale is extended until further Order of this Court. The Guardian shall have the limited powers and duties to be actively involved in his treatment plan during anytime that Austin Lee Hale is being treated on an inpatient basis at any facility; the Guardian shall make all reports required by the provisions of Va. Code Ann. §64.2-2020.

The Guardian's powers shall include the power to consent to the performance, withholding or withdrawal of medication and medical procedures for Austin Lee Hale, at the discretion of the Guardian as she may determine to be in the best interest of Austin Lee Hale after consultation with the appropriate health care providers and Austin Lee Hale, and enter into contracts for the provision of services required by Austin Lee Hale as part of his treatment plan.

2. The Respondent, Austin Lee Hale shall cooperate with undergoing a psychological evaluation as previously ordered and set out on those orders entered by this Court on September 16, 2022 and December 13, 2022 with said evaluation to be arranged by the Guardian, Diane Rebecca Clark.

3. The Respondent, Austin Lee Hale, has been found to be indigent. All costs of this proceeding, including the fees of the guardian ad litem, Michele B. Brooks, and defense counsel, Sidney Rhoton, shall be borne by the Commonwealth pursuant to Va. Code Ann. §64.2-2008. The guardian ad litem, Michele B. Brooks, and defense counsel, Sidney Rhoton, shall file their Lists of Allowances with the Court.

4. Diane Rebecca Clark has previously entered into a bond before the Clerk of this Court in the sum and penalty of \$1,000.00, without surety, for the faithful performance of her duties as Guardian and no additional bond is required.

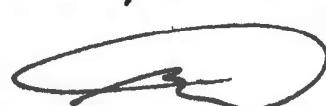
5. Michele B. Brooks having moved to withdraw as Guardian *Ad Litem* for the Respondent as she has taken on new employment duties, she is hereby permitted to withdraw and Gregory J. Baker, Esquire, a discreet and competent attorney practicing before this Court, is hereby appointed in her place and stead as Guardian *Ad Litem* for Respondent, Austin Lee Hale.

6. The Clerk is directed to provide copies of this Order to all counsel of record.

7. The Clerk is directed to place this file under seal only to be accessed by counsel of record or by court order.

8. This Order shall remain in full force and effect until further Order of this Court and this matter shall be reviewed on July 17, 2024 at 9:00 a.m. unless heard earlier upon the motion of any party.

ENTER THIS ORDER this the 16th day of August, 2023.



JUDGE

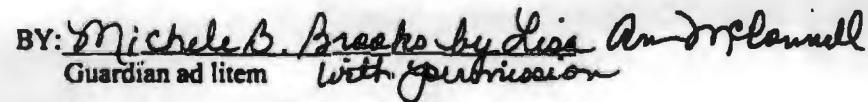
I ASK FOR THIS:

Law Offices of Lisa Ann McConnell, P.C.
P. O. Box 423
Duffield, VA 24244
Phone: 276-431-2420
Fax: 276-431-4235

BY: 
Counsel for Petitioner

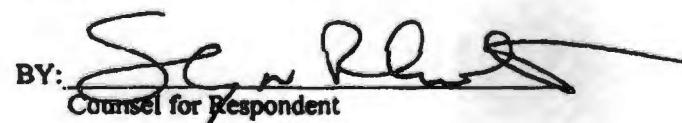
SEEN AND AGREED:

Michele B. Brooks
The Brooks Firm, PLLC
P. O. Box 1383
Gate City, VA 24251
Phone: 276-386-3171
Fax: 276-386-3568

BY: 
Guardian ad litem with permission

SEEN AND OBJECTED TO:

Sidney Rhoton
Rhton Law Office
2368 US HWY 23N
STE #3
Weber City, VA 24290

BY: 
Counsel for Respondent